

VIOLATION CHARGED: Adulteration, Section 402 (a) (4), the product had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7798. Adulteration of frozen whiting. U. S. v. 786 Boxes of Butterfly Whiting. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14938. Sample Nos. 96453-F, 96459-F.)

LIBEL FILED: On or about January 8, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On August 8, 1944, by the Booth Fisheries Corporation, from Gloucester, Mass.

PRODUCT: 786 10-pound boxes of frozen whiting at Chicago, Ill.

LABEL, IN PART: "Fresh Butterfly Whiting Frozen Packed by North Shore Fillet Company Gloucester, Mass."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: January 12, 1945. The Booth Fisheries Corporation, claimant, having admitted the facts set forth in the libel, judgment of condemnation was entered and the product was ordered released under bond to be salvaged and brought into compliance with the law, under the supervision of the Food and Drug Administration.

7799. Adulteration of frozen clams. U. S. v. 619 Cartons and 19 Boxes of Frozen Clams. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14988. Sample No. 13788-F.)

LIBEL FILED: January 13, 1945, Southern District of California.

ALLEGED SHIPMENT: On or about September 9, 1944, by the Washington Fish and Oyster Co., from Seattle, Wash.

PRODUCT: 619 cartons and 19 boxes, totaling 30,000 pounds, of frozen clams at San Diego, Calif.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: February 17, 1945. J. J. Camillo and the Washington Fish and Oyster Co., claimants, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Food and Drug Administration.

7800. Adulteration of crab meat. U. S. v. W. D. Gale and Hyatt B. Gale (Gale Packing Co.). Pleas of nolo contendere. Each individual fined \$100. (F. D. C. No. 14243. Sample Nos. 28876-F, 35090-F.)

INFORMATION FILED: February 26, 1945, Southern District of Florida, against W. D. Gale and Hyatt B. Gale, trading as the Gale Packing Co., a partnership, Palatka, Fla.

ALLEGED SHIPMENT: On or about June 6 and 7, 1944, from the State of Florida into the District of Columbia.

LABEL, IN PART: "Lake George Brand * * * Crab Meat."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance as evidenced by the presence of fecal *Escherichia coli*; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 26, 1945. The defendants' motion to quash, on the grounds that the information did not charge the crab meat to have been rendered injurious to health or unfit for food, or that *Escherichia coli* was not per se adulteration, having been denied, the defendants entered pleas of nolo contendere, and each partner was fined \$50 on each of 2 counts.

7801. Adulteration of oysters. U. S. v. 500 Pints and 2,200 Pints of Oysters. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15237. Sample Nos. 10018-H, 10215-H.)

LIBEL FILED: February 9, 1945, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 4, 1945, by John H. Leonard, from Baltimore, Md.

PRODUCT: 2,700 pints of oysters at Pittsburgh, Pa.

VIOLATION CHARGED: Adulteration, Section 402 (b) (4), water had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

DISPOSITION: February 9, 1945. John H. Leonard, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into conformity with the law, under the supervision of the Food and Drug Administration.

7802. Adulteration of oysters. U. S. v. 64 Pints and 264 Pints of Oysters (and 2 other seizure actions against oysters). Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 14812, 14838, 14843. Sample Nos. 85286-F, 85289-F, 85290-F.)

LIBELS FILED: December 21, 29, and 30, 1944, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 13, 14, and 20, 1944, by Charles W. Howeth and Brother, from Crisfield, Md.

PRODUCT: 1,095 pints of oysters at York, Pa.

LABEL, IN PART: (Portion) "H & B Brand Famous Salt Water Oysters."

VIOLATION CHARGED: Adulteration, Section 402 (b) (4), water had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

DISPOSITION: January 19, 1945. Charles W. Howeth, claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The excess liquid was removed and the cans were filled with oysters. Oysters of unsatisfactory quality were destroyed.

7803. Adulteration of oysters. U. S. v. 225 Cans of Oysters (and 2 other seizure actions against oysters). Default decrees of condemnation and destruction. (F. D. C. Nos. 14811, 14815, 14837. Sample Nos. 85285-F, 85287-F, 85288-F.)

LIBELS FILED: Between December 21 and 29, 1944, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 14 and 18, 1944, by Hickman and Sterling, from Crisfield, Md.

PRODUCT: 564 1-pint cans of oysters at York, Pa.

VIOLATION CHARGED: Adulteration, Section 402 (b) (4), water had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

DISPOSITION: February 22, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

7804. Adulteration of oysters. U. S. v. 94 Cans of Oysters. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 14770. Sample No. 92393-F.)

LIBEL FILED: December 14, 1944, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 5, 1944, by the J. H. White Co., from Baltimore, Md.

PRODUCT: 94 1-pint cans of oysters at Erie, Pa.

VIOLATION CHARGED: Adulteration, Section 402 (b) (4), water had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

DISPOSITION: January 4, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

7805. Adulteration of frozen shrimp. U. S. v. 23 Boxes and 914 Cartons of Frozen Shrimp (and 2 other seizure actions against frozen shrimp). Decrees of condemnation. Portion of product ordered released under bond; remainder ordered destroyed. (F. D. C. Nos. 14175, 14176, 14789. Sample Nos. 78944-F to 78947-F, incl., 78949-F, 96808-F.)

LIBELS FILED: November 17 and December 19, 1944, Northern District of Illinois and Northern District of Texas.